REMARKS

Claims 9-12 are pending in this application. The present amendment amends claim 9. Upon entry of this amendment, claims 9-12 will be pending.

No new matter is added by this amendment. Support for the amendment to claim 9 may be found in the paragraph starting from page 11, line 15, the paragraph bridging pages 11 and 12, and the paragraph starting on page 12, line 16, of the specification.

It is believed that this amendment is fully responsive to the Office action dated April 3, 2006.

Previous rejections over claims 9-12 are maintained for those reasons set forth above. (Office action paragraph no. 2)

This refers to the rejections under 35 U.S.C. 102(b) over Synder et al. US 6,554,467, Kawashima US 6,338,671, Snyder US Pub. No. 2002/0085447, Lai US 6,721,628, Kawashima US Pub. No. 2001/0002361, Kawashima US 6,358,125, Hiraoka US 6,874,929, Hiraoka US Pub. No. 2005/0142883, and Hiraoka US Pub. No. 2002/0186613, in the Office action dated October 19, 2005.

Reconsideration of the rejections is requested in view of the amendment to claim 9.

The amendment clarifies that the first step of claim 9, "determining an initial mixing amount of the oxidizing agent...in the slurry," is a positively recited, intentionally performed process. Likewise, the second step of claim 9, "under control of a controller, supplying the slurry stock solution and the determined initial mixing amount of the oxidizing agent to a preparation tank and...

less than the target concentration" is also an intentionally performed process. Applicant submits that none of the cited references discloses or suggests the first and second steps of amended claim 9.

In the first and second steps of the method of claim 9, the oxidizing agent is always supplied at "**less than the target concentration**," that is, a shortage amount. A slightly greater amount or an excess amount of the oxidizing agent is never supplied during the method. This technical feature also provides advantages described at page 14, lines 19-32, of the specification. Unlike the claimed invention, in the prior art continuous processes, the oxidizing agent is **not** always supplied at a shortage amount. The Examiner has acknowledged on page 2 of the Final Office Action dated April 3, 2006, that: "the prior art continuous mixing processes ... would have concentration values **both above and below** the target concentration" (emphasis added). Therefore, claim 9 is clearly not anticipated by the cited references.

Claim 9, as amended, explicitly recites that "determining an initial mixing amount of the oxidizing agent **to be supplied to a preparation tank**." This recitation clarifies that the initial mixing amount determination step is performed prior to supplying (mixing) the oxidizing agent to the preparation tank.

None of the cited references disclose performing an initial mixing amount determination step of claim 9 prior to the supplying (mixing) step. It is also clear from this recitation that the initial mixing amount determination step is performed prior to detecting the oxidizing agent concentration in the slurry. None of the cited references discloses performing the initial mixing amount

determination step of claim 9 prior to the concentration measurement step. Again, on this basis, claim 9 is clearly not anticipated by the cited references.

According to MPEP 706.02 , "for anticipation under 35 U.S.C. 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present." Applicant submits that none of the cited references teaches the recited steps of claim 9, and that the present claims are therefore not anticipated by any of the cited references.

In the event that this paper is not timely filed, the Applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS,
HANSON & BROOKS, LLP

Daniel A. Geselowitz, Ph.D.
Agent for Applicant
Reg. No. 42,573

DAG/bh

Atty. Docket No. **021312A**
Suite 1000
1725 K Street, N.W.
Washington, D.C. 20006
(202) 659-2930

23850
PATENT TRADEMARK OFFICE

Q:\FLOATERS\BRENDA\021 Cases\021312A_Amendment Accomp RCE